



June 19, 2019

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

Re: Notice of *Ex Parte* Communication, MB Docket Nos. 18-202, 17-105

Dear Ms. Dortch:

On Monday, June 17, the undersigned of the National Association of Broadcasters (NAB) and Joe Di Scipio, Senior Vice President FCC Legal & Business Affairs and Assistant General Counsel at Fox Corporation, spoke by telephone with Matthew Berry, Chief of Staff to Chairman Pai, to reiterate support for the FCC's efforts to modernize its children's television programming rules.<sup>1</sup> In particular, we again stressed the need for broadcasters to have greater flexibility in meeting their obligations to provide educational and informational (E/I) programming to children.

Specifically, we urged the FCC to adopt NAB's proposal that would allow broadcasters to satisfy their children's TV obligations by airing a total of 156 hours of core E/I programming on an annual basis.<sup>2</sup> To provide the flexibility necessary to enable local stations to satisfy their viewers' increasing demands for live programming, including news, sports and local events, while consistently scheduling and airing E/I programs, we continue to believe that broadcasters should be permitted to air at least a substantial portion of the requisite hours of core programming on multicast streams available to all viewers free, over-the-air.

Given the greatly expanded options children and their families now have for accessing video programming, including educational content, we also emphasized that broadcasters should no longer be required to adhere to the current inflexible regime mandating three hours of E/I programming per week on every full-time program stream offered by their stations. Providing additional flexibility in the form and scheduling of children's programming, such as by reforming the requirement that core programs must be at least 30 minutes in length and regularly scheduled on a weekly basis, would further encourage broadcasters to experiment

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<sup>1</sup> See Comments of the National Association of Broadcasters, MB Docket Nos. 18-202, 17-105 (Sept. 24, 2018) (NAB Comments); Reply Comments of the National Association of Broadcasters, MB Docket Nos. 18-202, 17-105 (Oct. 23, 2018) (NAB Reply Comments).

<sup>2</sup> See NAB Comments at 27-31.

with new and different types of E/I content and to schedule more of that content at times when children may be more likely to watch (e.g., during school vacation periods or before school hours).

NAB and TV broadcasters greatly appreciate the Commission's work in this proceeding. This review should help ensure that the children's television rules reflect the current video programming marketplace and the media consumption habits of children and their families today.

Respectfully submitted,  
**NATIONAL ASSOCIATION OF BROADCASTERS**

A handwritten signature in dark ink, appearing to read "Rick Kaplan", with a long horizontal line extending to the right.

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Rick Kaplan  
General Counsel and Executive Vice President  
Legal and Regulatory Affairs

cc: Matthew Berry